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WELSH STATUTORY  
INSTRUMENTS

**2023 Rhif 1067 (Cy. 181)**

**2023 No. 1067 (W. 181)**

**ADDYSG, CYMRU**

**EDUCATION, WALES**

**Gorchymyn Cyflog ac Amodau  
Athrawon Ysgol (Rhif 2) (Cymru)  
2023**

**The School Teachers' Pay and  
Conditions (No. 2) (Wales) Order  
2023**

**NODYN ESBONIADOL**

*(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)*

Mae'r Gorchymyn hwn yn gwneud darpariaeth ar gyfer penderfynu'r tâl ar gyfer athrawon ysgol (o fewn ystyr "school teacher" yn adran 122 o Ddeddf Addysg 2002 (p. 32)) yng Nghymru ac amodau cyflogaeth eraill ar gyfer athrawon ysgol yng Nghymru sy'n ymwneud â'u dyletswyddau proffesiynol a'u hamser gweithio.

Mae'r Gorchymyn yn gwneud y ddarpariaeth hon drwy gyfeirio at—

- (a) adran 2 o ddogfen o'r enw "Dogfen Cyflog ac Amodau Athrawon Ysgol (Cymru) 2022 a chanllawiau ar gyflog ac amodau athrawon ysgol (diwygiedig) – Medi 2023" ("Dogfen 2022") ar gyfer y cyfnod sy'n dechrau â 1 Medi 2022 ac yn dod i ben â 31 Awst 2023, a
- (b) adran 2 o ddogfen o'r enw "Dogfen Cyflog ac Amodau Athrawon Ysgol (Cymru) 2023 a chanllawiau ar gyflog ac amodau athrawon ysgol" ("Dogfen 2023") ar ac ar ôl 1 Medi 2023.

Gellir canfod Dogfen 2022 a Dogfen 2023 ar wefan Llywodraeth Cymru: <https://llyw.cymru/addysgu-ac-arweinyddiaeth>.

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order makes provision for the determination of the remuneration of school teachers (within the meaning of section 122 of the Education Act 2002 (c. 32)) in Wales and other conditions of employment of school teachers in Wales which relate to their professional duties and working time.

The Order makes this provision by reference to—

- (a) section 2 of a document entitled "School Teachers' Pay and Conditions (Wales) Document 2022 and guidance on school teachers' pay and conditions (revised) – September 2023" ("the 2022 Document") for the period beginning with 1 September 2022 and ending with 31 August 2023, and
- (b) section 2 of a document entitled "School Teachers' Pay and Conditions (Wales) Document 2023 and guidance on school teachers' pay and conditions" ("the 2023 Document") on and after 1 September 2023.

The 2022 Document and the 2023 Document can be found on the Welsh Government website: <https://gov.wales/teaching-and-leadership>.

Mae'r Gorchymyn yn gwneud darpariaeth ôl-  
weithredol, o dan adran 123(3) o Ddeddf Addysg  
2002, er mwyn darparu—

- (a) bod y darpariaethau a nodir yn adran 2 o  
Ddogfen 2022 yn cael effaith ar gyfer y  
cyfnod sy'n dechrau â 1 Medi 2022 ac yn dod  
i ben â 31 Awst 2023, a
- (b) bod y darpariaethau a nodir yn adran 2 o  
Ddogfen 2023 yn cael effaith ar ac ar ôl 1  
Medi 2023,

er bod y Gorchymyn yn dod i rym ar ôl y dyddiadau  
hynny (erthygl 2).

Mae'r Gorchymyn yn dirymu Gorchymyn Cyflog ac  
Amodau Athrawon Ysgol (Cymru) 2023 (erthygl 3) ac  
mae'n disodli'r tâl a'r amodau cyflogaeth eraill ar  
gyfer athrawon ysgol yng Nghymru y rhoddwyd  
effaith iddynt gan y Gorchymyn hwnnw.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar  
gynnal Aseidiadau Effaith Rheoleiddiol mewn  
perthynas â'r Gorchymyn hwn. O ganlyniad, lluniwyd  
asesiad effaith rheoleiddiol o'r costau a'r manteision  
sy'n debygol o ddeillio o gydymffurfio â'r Gorchymyn  
hwn. Gellir cael copi oddi wrth: Uned Strategaeth y  
Gweithlu, Yr Is-adran Addysgeg, Arweinyddiaeth a  
Dysgu Proffesiynol, Llywodraeth Cymru, Parc  
Cathays, Caerdydd, CF10 3NQ.

The Order makes retrospective provision, under  
section 123(3) of the Education Act 2002, to provide  
that—

- (a) the provisions set out in section 2 of the 2022  
Document have effect for the period  
beginning with 1 September 2022 and ending  
with 31 August 2023, and
- (b) the provisions set out in section 2 of the 2023  
Document have effect on and after 1  
September 2023,

even though the Order comes into force after those  
dates (article 2).

The Order revokes the School Teachers' Pay and  
Conditions Order (Wales) 2023 (article 3) and replaces  
the remuneration and other conditions of employment  
of school teachers in Wales given effect by that Order.

The Welsh Ministers' Code of Practice on the  
carrying out of Regulatory Impact Assessments was  
considered in relation to this Order. As a result, a  
regulatory impact assessment has been prepared as to  
the likely costs and benefits of complying with this  
Order. A copy can be obtained from the Workforce  
Strategy Unit, Pedagogy, Leadership and Professional  
Learning Division, Welsh Government, Cathays Park,  
Cardiff, CF10 3NQ.

## 2023 Rhif 1067 (Cy. 181)

### ADDYSG, CYMRU

#### Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Rhif 2) (Cymru) 2023

*Gwnaed* 5 Hydref 2023  
*Gosodwyd* gerbron *Senedd*  
*Cymru* 6 Hydref 2023  
*Yn dod i rym* 28 Hydref 2023

Mae Gweinidogion Cymru, drwy arfer y pwerau a roddwyd i'r Ysgrifennydd Gwladol gan adrannau 122(1), 123 a 124 o Ddeddf Addysg 2002(1), ac a freiniwyd bellach ynddynt hwy(2), yn gwneud y Gorchymyn a ganlyn.

Mae Gweinidogion Cymru yn unol ag adran 126(3) o'r Ddeddf honno wedi ymgynghori â'r personau hynny a'r cyrff hynny y cyfeirir atynt yn yr adran honno yr oedd yn ymddangos i Weiniogion Cymru eu bod yn briodol.

#### Enwi, cychwyn, cymhwyso a dehongli

1.—(1) Enw'r Gorchymyn hwn yw Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Rhif 2) (Cymru) 2023 a daw i rym ar 28 Hydref 2023.

(2) Mae'r Gorchymyn hwn yn gymwys i athrawon ysgol yng Nghymru.

(3) Yn y Gorchymyn hwn—

mae i "athro neu athrawes ysgol" yr ystyr a roddir i "school teacher" gan adran 122(3) i (6) o Ddeddf Addysg 2002;

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(1) 2002 p. 32. Diwygiwyd adrannau 122 a 123 gan erthygl 5(1) o O.S. 2010/1158 a chan baragraff 11(2) a (3) o Ran 1 o Atodlen 2 iddo.

(2) Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol i Weiniogion Cymru gan erthygl 39(3) o Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) 2018 (O.S. 2018/644).

(3) Trosglwyddwyd y swyddogaeth hon o'r Ysgrifennydd Gwladol i Weiniogion Cymru gan erthygl 39(3) o Orchymyn Gweinidogion Cymru (Trosglwyddo Swyddogaethau) 2018.

## 2023 No. 1067 (W. 181)

### EDUCATION, WALES

#### The School Teachers' Pay and Conditions (No. 2) (Wales) Order 2023

*Made* 5 October 2023  
*Laid before Senedd Cymru* 6 October 2023  
*Coming into force* 28 October 2023

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 122(1), 123 and 124 of the Education Act 2002(1), and now vested in them(2), make the following Order.

The Welsh Ministers in accordance with section 126(3) of that Act have consulted such of the persons and bodies referred to in that section as appeared to the Welsh Ministers to be appropriate.

#### Title, commencement, application and interpretation

1.—(1) The title of this Order is the School Teachers' Pay and Conditions (No. 2) (Wales) Order 2023 and it comes into force on 28 October 2023.

(2) This Order applies to school teachers in Wales.

(3) In this Order—

"the 2022 Document" ("*Dogfen 2022*") means the document entitled "School Teachers' Pay and Conditions (Wales) Document 2022 and guidance

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(1) 2002 c. 32. Sections 122 and 123 were amended by article 5(1) of, and paragraph 11(2) and (3) of Part 1 of Schedule 2 to, S.I. 2010/1158.

(2) The functions of the Secretary of State were transferred to the Welsh Ministers by article 39(3) of the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).

(3) This function of the Secretary of State was transferred to the Welsh Ministers by article 39(3) of the Welsh Ministers (Transfer of Functions) Order 2018.

ystyr “Dogfen 2022” (“*the 2022 Document*”) yw’r ddogfen o’r enw “Dogfen Cyflog ac Amodau Athrawon Ysgol (Cymru) 2022 a chanllawiau ar gyflog ac amodau athrawon ysgol (diwygiedig) – Medi 2023” ac a gyhoeddir ar wefan llyw.cymru(1);

ystyr “Dogfen 2023” (“*the 2023 Document*”) yw’r ddogfen o’r enw “Dogfen Cyflog ac Amodau Athrawon Ysgol (Cymru) 2023 a chanllawiau ar gyflog ac amodau athrawon ysgol” ac a gyhoeddir ar wefan llyw.cymru.

## Dogfen 2022 a Dogfen 2023

2.—(1) At y dibenion a bennir ym mharagraff (2)—

- (a) mae’r darpariaethau a nodir yn adran 2 o Ddogfen 2022 yn cael effaith ar gyfer y cyfnod sy’n dechrau â 1 Medi 2022 ac yn dod i ben â 31 Awst 2023, a
- (b) mae’r darpariaethau a nodir yn adran 2 o Ddogfen 2023 yn cael effaith ar ac ar ôl 1 Medi 2023.

(2) Y dibenion y cyfeirir atynt ym mharagraff (1) yw dibenion penderfynu—

- (a) y tâl ar gyfer athrawon ysgol, a
- (b) amodau cyflogaeth eraill ar gyfer athrawon ysgol sy’n ymwneud â’u dyletswyddau proffesiynol a’u hamser gweithio.

## Dirymu

3. Mae Gorchymyn Cyflog ac Amodau Athrawon Ysgol (Cymru) 2023(2) wedi ei ddirymu.

on school teachers’ pay and conditions (revised) – September 2023” and published on the gov.wales website(1);

“the 2023 Document” (“*Dogfen 2023*”) means the document entitled “School Teachers’ Pay and Conditions (Wales) Document 2023 and guidance on school teachers’ pay and conditions” and published on the gov.wales website;

“school teacher” (“*athro neu athrawes ysgol*”) has the meaning given by section 122(3) to (6) of the Education Act 2002.

## The 2022 Document and the 2023 Document

2.—(1) For the purposes specified in paragraph (2)—

- (a) the provisions set out in section 2 of the 2022 Document have effect for the period beginning with 1 September 2022 and ending with 31 August 2023, and
- (b) the provisions set out in section 2 of the 2023 Document have effect on and after 1 September 2023.

(2) The purposes referred to in paragraph (1) are the purposes of determining—

- (a) the remuneration of school teachers, and
- (b) other conditions of employment of school teachers which relate to their professional duties and working time.

## Revocation

3. The School Teachers’ Pay and Conditions (Wales) Order 2023(2) is revoked.

*Jeremy Miles*

Gweinidog y Gymraeg ac Addysg, un o Weinidogion Cymru  
5 Hydref 2023

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Argraffwyd a chyhoeddwyd yn y DU gan Y Llyfrfa Cyf dan awdurdod a goruchwyliaeth Jeff James, Rheolwr Llyfrfa Ei Fawrhydi ac Argraffydd Deddfau Senedd y Brenin.

(1) <https://llyw.cymru/addysgu-ac-arweinyddiaeth>  
(2) O.S. 2023/443 (Cy. 68).

Minister for Education and Welsh Language, one of the Welsh Ministers  
5 October 2023

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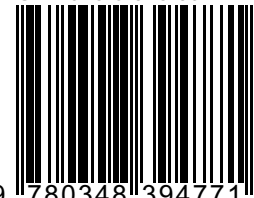
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(1) <https://gov.wales/teaching-and-leadership>  
(2) S.I. 2023/443 (W. 68).

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